



DRAFT PORTFOLIO HOLDER DECISION NOTICE

PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR BUILT ENVIRONMENT

TOPIC – STATEMENT OF COMMUNITY INVOLVEMENT IN PLANNING (SCI) DRAFT FOR CONSULTATION

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Legal Services Manager, the Chief Executive and the Strategic Director: Resources are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Democratic Services Officer by 5.00pm on Monday 23 July 2018.

Contact Officers:

Case Officer: Joan Ashton

Democratic Services Officer: Nancy Graham, 01962 848 235, ngraham@winchester.gov.uk

SUMMARY

This paper seeks authorisation of the draft Statement of Community Involvement set out at Appendix A, for consultation for a period of 8 weeks commencing late July 2018. Responses and any consequential changes required will be reported to a meeting of Cabinet Committee prior to adoption.

The Statement of Community Involvement (SCI) was originally adopted in 2007, now is an appropriate time for an update in association with the preparation of a new local plan. This also allows for new documents to be referred to as well as a greater emphasis on electronic communication techniques for both plan making and the planning decision making processes undertaken by the Council.

The SCI confines itself to community involvement in relation to planning matters. However, a revised SCI will reflect and complement the wider aims of the Council to improve engagement with residents and businesses.

PROPOSED DECISION

To approve the draft Statement of Community Involvement as set out at Appendix A, for consultation for a period of 8 weeks commencing late July 2018.

REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The Planning & Compulsory Purchase Act 2004 requires local planning authorities to have a Statement of Community Involvement (SCI) for planning, setting out their approach to engagement on planning issues. Recent legislative changes now require the SCI to be reviewed every five years. Planning inspectors will consider whether the authority has followed the principles set out in the SCI, when assessing whether planning policy documents have been properly prepared during the examination process.

In the light of the legislative requirements and the need to have an up-to-date SCI, there is no alternative to producing a revised SCI as soon as possible.

Winchester District's Statement of Community Involvement in Planning sets out the Council's approach to involving people in planning matters. It covers both planning policy (eg the Local Plan and Supplementary Planning Documents) and development management (ie planning applications and other development applications). It provides guidance on how people can get involved in the development of planning policies and how to comment on planning applications.

This document does not cover community involvement other than in regard to planning matters. The Council has legislative procedures that need to be followed in the preparation of planning policy documents and the processing of planning applications, including in regard to the forms of consultation. There are also statutory timescales that have to be followed.

With the pending review of the local plan, it is an appropriate time to review the form and content of the SCI. This will also enable it to include reference to Neighbourhood Plans and the Community Infrastructure Levy neither of which are referred to in the existing SCI. In addition, there have been advances in the capabilities and use of electronic communications which have affected the way the Council now operates and these need to be reflected in the refreshed SCI.

Given, that the process for the preparation and subsequent adoption of SCI is no longer prescribed in legislation, the Council has taken the view that following the initial consultation to inform the SCI held earlier in 2017, an appropriate mechanism

would be to approve a draft SCI for public consultation via the Portfolio Holder Decision notice process, with any responses being formally considered in due course prior to the adoption of a final SCI.

Consequently, this PHD Notice seeks authorisation to publish the draft SCI for 8 weeks commencing on late July 2018, with consideration of comments and any corresponding changes to be agreed by a meeting of the Council during autumn of 2018.

Prior to this, the emerging SCI has been subject of a peer review by an external consultant to ensure that it includes reference to all necessary elements; a few amendments have subsequently been incorporated in the attached version.

RESOURCE IMPLICATIONS:

The SCI has been prepared by the Strategic Planning Team in conjunction with Development Management and the processes and techniques set out will be implemented by both teams in the future.

CONSULTATION UNDERTAKEN ON THE PROPOSED DECISION

To inform matters to include in the refreshed SCI, the Council's online consultation portal Citizenspace was used to seek views on how people, both residents, businesses and interested parties wished to be informed on planning matters. Notification of the consultation was issued via e- newsletters including parish connect to those on both local plan and development management databases.

The survey ran between 9th March and 24th April 2017 and 159 responses were received, the results indicated a general preference for correspondence by email. There was also a high degree of awareness of the online planning application system. A summary of results is set out at Appendix B of the SCI. This illustrates preferences for electronic means of communication, but also for more interactive focus groups/workshops when these are appropriate and there is also support for traditional exhibitions and questionnaires.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

n/a

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

None.

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

n/a

Approved by: (signature)

Date of Decision

Councillor Caroline Brook – Portfolio Holder for Built Environment

APPENDICES:

A: Statement of Community Involvement in Planning (Draft July 2018)

STATEMENT OF COMMUNITY INVOLVEMENT
in Planning
(Draft July 2018)



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1 Introduction

What is the SCI?

- 1.1 The Planning & Compulsory Purchase Act 2004 requires local planning authorities to have a Statement of Community Involvement (SCI) for planning, setting out their approach to engagement on planning issues. Since January 2018, Regulations now require SCI's to be updated on a regular basis, at least every 5 years. Planning inspectors will consider whether the authority has followed the principles set out in the SCI, when assessing whether planning policy documents have been properly prepared.
- 1.2 Winchester City Council's 'Statement of Community Involvement in Planning' sets out the Council's approach to involving people in planning matters, whether residents, businesses, visitors or wider stakeholders such as statutory consultees. It covers both planning policy (eg the Local Plan and Supplementary Planning Documents) and development management (ie planning applications and other development applications). It provides guidance on how people can get involved in the development of planning policies and how they can comment on planning applications.
- 1.3 This document does not cover community involvement other than in regard to planning matters, - mainly statutory planning policy documents such as the local plan and planning applications. The Council is developing more innovative and customer-focussed engagement methods generally and participation in planning matters will follow these principles within any statutory and resource limits.
- 1.4 There are legislative procedures that must be followed in the preparation of planning policy documents and the processing of planning applications, some of which relate to methods of consultation. There are also statutory timescales that must be followed and these factors are included as part of the SCI.

Development of the SCI

Existing SCI

- 1.5 The Council's current SCI dates from 2007. Since that time, planning legislation and procedures have been subject to many changes, but the fundamental principle of engagement remains. There is a need to update information in relation to policy matters, where many of the procedures for the preparation, examination and adoption of documents have changed since 2007. The Neighbourhood Plan process and Community Infrastructure Levy

are not covered in the current SCI. It is also appropriate to update the SCI in relation to Winchester City Council and its current procedures and practices. The revised SCI will only focus on engagement in relation to planning matters, in comparison to the existing SCI which considered broader approaches to engagement across the Council.

- 1.6 There have also been advances in the capabilities and use of electronic communications since the 2007 SCI, which have affected the way the Council now operates and it is important to reflect this in the refreshed SCI.

Preparation of the SCI Refresh

- 1.7 Preparation of the new SCI began in spring of 2017, with the launch of a survey seeking views on methods for participation and consultation for planning policy and planning applications. The survey ran between 9th March and 24th April 2017 and 159 responses were received. The survey was run primarily online and 157 of the responses were received that way.
- 1.8 The survey was publicised by a variety of methods. The LDF E-Newsletter was sent to all of those on the planning policy database. All those on the planning agents database were also informed and direct links were given to the survey. Parish Councils were directly notified via the Parish Connect newsletter.
- 1.9 Additional publicity was also given by a headline article on the Council's website. Notification was given on Twitter of the commencement of the consultation with links to the survey. Regular tweets were made to remind people to complete the survey, particularly including towards the end of the consultation period.
- 1.10 The results indicated a general preference for correspondence by email. There was also a high degree of awareness of the online planning application system. Email and e-newsletters are well used by the council to communicate with known interested parties via the LDF database and the Agents Forum (Development Management). The public access for planning applications is an invaluable tool, which can be used in an interactive manner and this highlights the use of this system for providing information and a form for making representations. The majority of representations are now received via this method.
- 1.11 The results show a move towards electronic communication in an interactive way as well as for exchanging information. The Council is seeking to make increasing use of these methods. The results also show a continued desire for face-to-face and public meetings in relation to policy development, which the council will continue to use as part of a range of participation techniques. The results illustrate the important role that Parish and Town Councils play in

developing planning policy and in planning applications, liaising with the council and the local community.

- 1.12 The results of the survey have been taken into account when developing this refreshed SCI. A copy of the survey and the results is attached as Appendix 1.

Draft SCI Refresh

- 1.13 A refreshed SCI has been prepared in draft following the frontloading survey of spring 2017. Council officers from planning policy and development management have developed the SCI and following agreement by the Portfolio holder for Built Environment in July, the Draft SCI is now subject to public consultation between July and September 2018.

- 1.14 This SCI and supporting documents are available to view on the Council's website at [add weblink](#)

- 1.15 All comments should be submitted via the online consultation form, accessible at [Add link to citizenspace](#)

Or sent to the City Council via email ldf@winchester.gov.uk

Or post to:

Head of Strategic Planning
Winchester City Council,
Colebrook Street
Winchester,
Hants
SO23 9LJ

All comments must be received by [insert date 2018](#)

Next Steps

- 1.16 A final SCI will be prepared after considering the responses received to the consultation and making any necessary amendments. This will be discussed at meeting of the Council for adoption as Winchester City Council's Statement of Community Involvement.

2 COUNCIL PLANNING ENGAGEMENT

General Principles for Community Involvement in Planning

- 2.1 The Council will use a wide variety of methods to encourage participation in planning, these will vary and a proportionate approach will need to be applied, taking into consideration resources and time available. However, the nature of community involvement is different in policy planning and development management.
- 2.2 In policy planning, involvement occurs through the participation in the development of policy. Different approaches will be appropriate depending on the nature of the document and its stage of preparation. Engagement will primarily occur during the initial preparation phase to gather views and opinions and to enable people to gain understanding of the issues. This will typically be followed by consultation on options or proposed policies, which is a more structured process. There is consultation on draft plans and policies and the council is obliged to consider the representations made.
- 2.3 Development management considers proposals for development, such as planning applications and other related procedures such as conservation area and listed building applications, tree preservation orders and works to trees. The council's role is to publicise these applications and the community involvement is focussed on commenting on the proposals. There is the opportunity to influence developments, as the Council must take account of any representations that are made. However, the scope for involving the public is limited by statutory procedures that need to be followed for consultation. Occasionally there is an opportunity to become involved in the development of proposals at an early stage when potential applicants carry out pre-application consultations, although these are normally organised by the applicant, not the council.

Roles of Officers, Councillors, Parishes and the MP

Council Officers

- 2.4 Council officers will undertake research, draft planning policies and assess planning applications. In some cases officers will produce public reports or make decisions under delegated powers. Major decisions are made at committee and cabinet meetings, or occasionally at a full Council meeting. At these meetings the officers make recommendations, but it is the members of the committee/Council who make the decision.
- 2.5 Officers are able to provide advice on technical aspects of planning and opinions based on their professional experience. Officers are the first people to contact for queries on planning matters. Officers can assist both members of

the public and the elected members with all aspects of the planning process, including planning applications and aspects of planning policy.

Councillors

- 2.6 Councillors (also sometimes called members) are the local elected representatives for the area. The District is comprised of Wards and each Ward has a number of Councillors who represent it. Councillors attend Council meetings and a number of them will comprise the members of various committees such as the Planning Committee and the Cabinet (Local Plan) Committee. The members of committees will listen to any statements made by the public, discuss and debate the reports of officers, question the officers and ultimately vote on any recommendations. The Overview and Scrutiny Committee plays a vital role in maintaining an overview of the City Council's work and looking in depth at areas of particular significance or concern, including examining decisions made by other committees and the executive.
- 2.7 Councillors are a bridge between the community and the council, being able to liaise with constituents and raise any issues with council officers. Your local Councillor is able to act as an advocate on planning applications for constituents or applicants if they are not a member of planning committee and can also give advice on the planning process and talk about local planning issues in the area. Councillors can call for applications to be discussed at committee and there are specific provisions for them to address committees. If you would like to contact your local Councillor the list of names and contact details can be found on the Council's website at: [Winchester Councillor List](#)

Parish Councils

- 2.8 There are Parish Councils covering all of the District except the Winchester Town area. Parish Councils are formally notified of planning applications and are also consulted on planning policy issues. Most Parish Councils have their own planning committees where they discuss applications and agree on a response.
- 2.9 Parish Councils can request that an application is determined at the WCC Planning Committee if their response raises relevant planning matters contrary to the planning officers' recommendation. Your local Parish Councillors can help ensure that your concerns are addressed by liaising directly with Council Officers on your behalf. Parish Councillors cannot sit on Winchester City Council Committee in that role, or vote at City Council meetings, however they are encouraged to attend and participate at the planning committee during public participation.

Your Local MP

2.10 The role of your local Member of Parliament is to represent the people of their constituency in Parliament. MPs can act as an advocate on behalf of individuals or groups in a wide range of situations, however, MPs are entirely separate from local government and do not have a role within it or any special rights or privileges. Therefore, when planning concerns are raised with MPs, these are often passed directly to the council for consideration.

Communicating with You

2.11 The Council promotes the use of plain English. Planning has a large amount of jargon, technical terms and acronyms. Many of these are necessary as they refer to legislation or are abbreviations for otherwise long titles and descriptions. Documents therefore often contain a glossary that will explain the terms used.

2.12 Documents and planning application details are now publicised online and in electronic formats, which ensures a wide reach of circulation. It is recognised that not all people may be able to view information in this way and people should contact the relevant council officer for assistance with this. Copies of important documents such as the Local Plan will be available for inspection at the council offices in a paper format. Other documents can usually be made available in a paper form, although there may be a fee associated with this. Officers or the Customer Services team should be contacted if documents are required in an alternative format, such as large print or another language.

Equalities

2.13 The council is mindful of its duties under the Equalities Act 2010 to eliminate unlawful discrimination and advance equality of opportunity for all. It is particularly important to encourage people with certain protected characteristics in relation to race, religion, age, disability, gender, sexual orientation, pregnancy or maternity to participate in public life where their participation is disproportionately low.

2.14 Efforts will therefore be made to include those who don't normally get involved in planning, for example by using existing community groups and forums. Where appropriate, we will identify issues that may be of interest to specific groups in the community. The use of social media is a useful tool for reaching groups and individuals who have not traditionally been involved in planning. Workshops and focus groups have been used to successfully engage with particular groups.

2.15 The council will carry out Equalities Impact Assessments (EqIA) on appropriate policies and documents to ensure that there are no adverse effects on the people with the protected characteristics.

Data Protection

- 2.16 We maintain a database of contacts to keep people informed of new policy initiatives. There is a similar database of planning agent contacts for development management. In order to register comments on applications and documents, we require contact details which will help us to contact you in regard to the comments made.
- 2.17 The Town and Country Planning (Local Planning) (England) Regulations 2012, requires copies of all representations to be made publically available. The Council will also publish names and associated representations on its website but will not publish personal information such as telephone numbers, or email addresses.
- 2.18 In accordance with the General Data Protection Regulations (GDPR) the information on the databases and provided in association with planning applications will only be used for appropriate purposes, as agreed when originally provided. The information will only be kept for the necessary period of time required. The council has an updated privacy policy which can be viewed on the [website](#).

Communicating with the Council

- 2.19 The best way to contact the council regarding planning matters is to contact the relevant officer directly where one is named. The details of case officers are shown on the planning application public access system and contact details will be given on all planning policy documents, or the covering letters or notifications.
- 2.20 Telephone calls can often resolve issues speedily. Planning policy can be contacted via customer services 01962 840222 and development management via 01962 848177. There are also general contact emails for planning policy (ldf@winchester.gov.uk) and development management (planning@winchester.gov.uk)
- 2.21 While we try to provide a good service, we know that sometimes things go wrong. The best way to resolve issues is to contact the relevant officer directly. Following that, the Team Leaders are best placed to discuss planning issues and procedures. There is also senior management to overview situations. Where issues are not resolved at this level, there is information on [complaints procedures](#) on the website, including a complaints form that can be completed.
- 2.22 The [Planning Portal](#) provides helpful information on the planning system and processes. National guidance can be found in the [National Planning Policy Framework](#) and [National Planning Policy Guidance](#). Further information can be found via the planning professional body the [Royal Town Planning Institute \(RTPI\)](#). [Planning Aid](#) offers free, independent planning advice and assistance to individuals and communities.

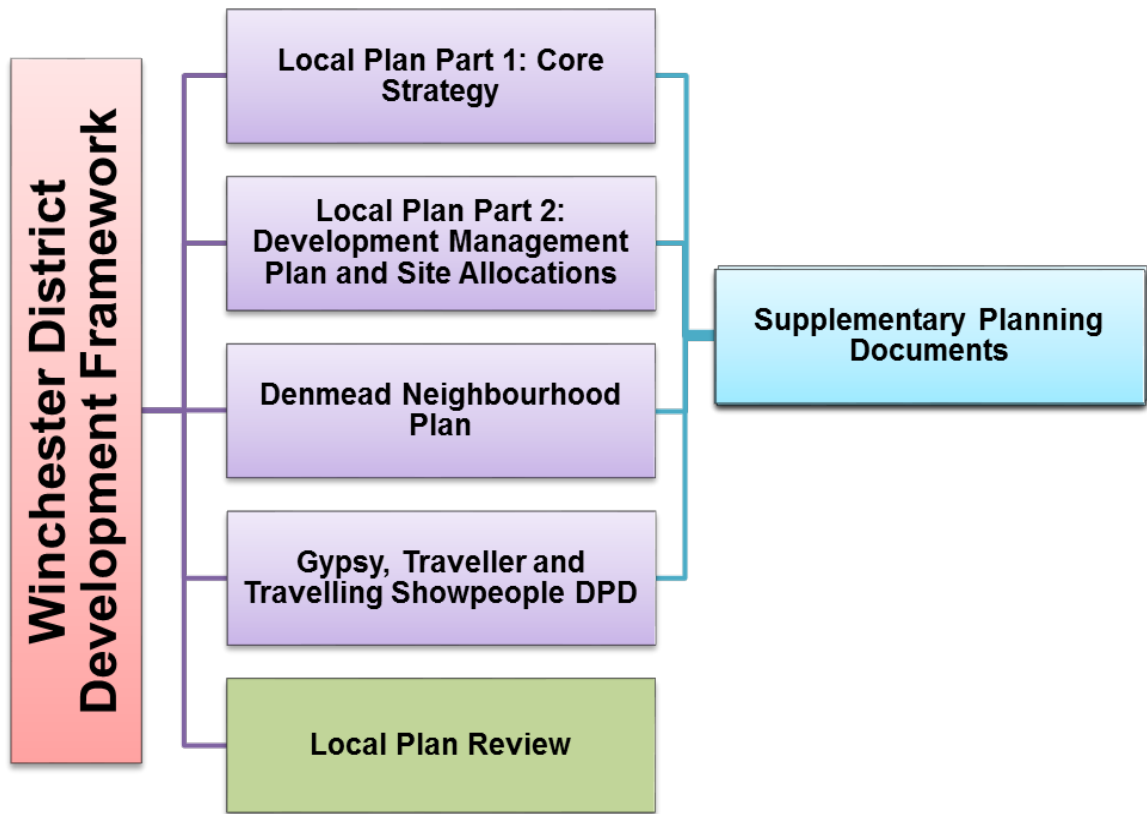
3 PLANNING POLICY

- 3.1 The Council has developed various policies that help shape the form of development throughout the part of the District that is outside the South Downs National Park (SDNP). Within the National Park, the SDNP Authority is responsible for planning policy and has adopted its own SCI with the most recent version published in [August 2017](#)
- 3.2 Planning policies set out a strategic vision for the pattern of future development within the area. Policies aim to provide guidance as to where development should take place, and the scale of that development, whilst protecting both the built and natural environment and maintaining and enhancing the local economy, and community facilities. There may be specific policies that allocate land for particular types of development, such as areas for new housing. There will also be planning policies that set out guidelines for assessing planning applications for development.

Planning Policy Documents

- 3.3 Planning policy documents comprise a mix of statutory documents such as the Local Plan and any Neighbourhood Plans, together with any Supplementary Planning Documents and other local development documents. These are supported by various reports, technical studies and research, which form the 'evidence base' for policies.
- 3.4 The statutory documents have formal procedures for their preparation and adoption, including consultation, which the local authority must comply with. Much of the evidence base (supporting information) comprises technical data and reports that are generally not subject to consultation, but are available to view on the Council's website.
- 3.5 The diagram below illustrates the local development documents for the Winchester District and shows the relationships between the Development Plan Documents and other documents. The table that follows describes the planning policy documents in more detail.

Figure 1: Local Development Framework



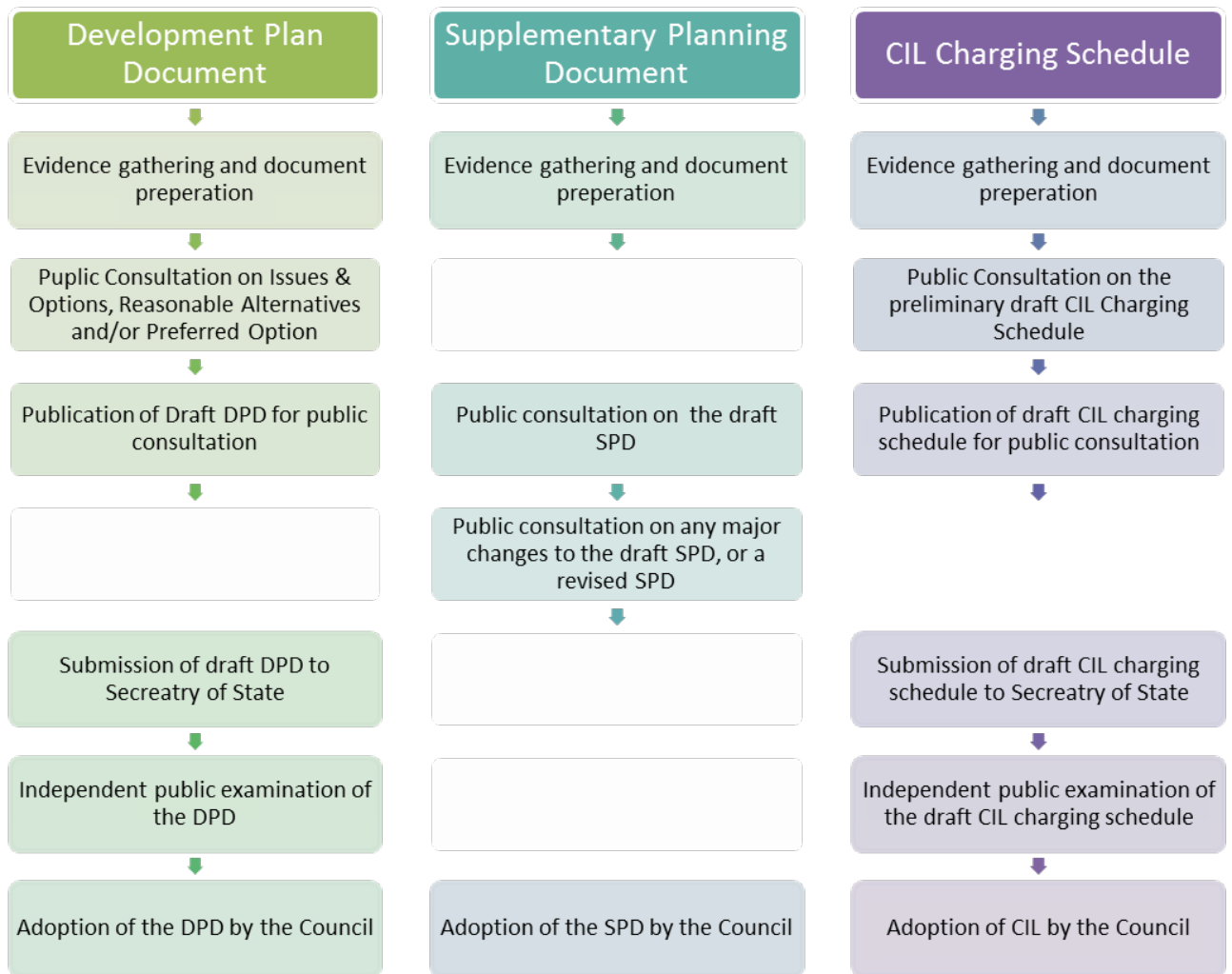
Development Plan Documents	Consultation?
<p>Local Plan This may be formed of several parts such as the Core Strategy together with any allocations plans, development management policies and other plans such as Action Area Plans.</p>	<p>Statutory requirements at various stages.</p> <p>Set out in the Planning Acts & Local Plan Regulations</p>
<p>Neighbourhood Plan Once formally 'made', Neighbourhood Plans form part of the Development Plan for an area. To date, only the Denmead Neighbourhood Plan has been made in the Winchester area outside the SDNP.</p>	<p>Statutory requirements at various stages.</p> <p>Set out in the Planning Acts, the Localism Act, the Neighbourhood Planning Act, the Local Plan Regulations & Neighbourhood Plan Regulations</p>
<p>The Minerals & Waste Plan Also forms part of the Development Plan for the District, but it is prepared by Hampshire County Council as they are the Minerals and Waste Planning Authority. Therefore they will also undertake any consultation on its preparation.</p>	<p>Statutory requirements at various stages, as for other DPDs.</p> <p>Set out in the Planning Acts & Local Plan Regulations</p>
Local Development Documents	
<p>Supplementary Planning Documents (SPD) Not part of the Development Plan itself, but supplement policies within it. Formally adopted by the Council and provide guidance on particular topics and/or in particular locations. Examples in Winchester currently include High Quality Places, Affordable Housing, Residential Car Parking Standards and a number of Village/Neighbourhood Design Statements.</p>	<p>Statutory requirements at various stages, but different to DPD requirements.</p> <p>Set out in the Planning Acts & Local Plan Regulations</p>
<p>Community Infrastructure Levy (CIL) Charging Schedule. Community Infrastructure Levy (CIL) is a charge that allows local authorities to raise funds from new development to fund essential infrastructure. The Charging Schedule sets out the levy rates that will be charged and how and where they will be applied.</p>	<p>Statutory requirements at various stages.</p> <p>Set out in the CIL Regulations</p>
<p>Authority's Monitoring Report (AMR) Reports on the progress on policy development and the performance of policies, on an annual basis. It includes information on housing completions and a housing trajectory plotting future housing delivery.</p>	<p>No consultation, as a technical document.</p> <p>Planning Acts and Regulations set out the requirements for producing monitoring reports and their required content</p>
<p>Local Development Scheme (LDS) A programme for the production of Development Plan Documents. Updated on a regular basis. The starting point for finding out what the timetable is for the local plan and other documents and to see key dates for decisions and public involvement.</p>	<p>No consultation, as a technical document, but is agreed by the Council.</p> <p>Required by Planning Acts. Needs to be kept up-to-date.</p>
<p>Statement of Community Involvement (SCI)</p>	<p>Consultation and adoption is</p>

<p>Sets out the Council policy for involving stakeholders and the wider community in planning issues. Covers planning policy and development management.</p>	<p>required, but the mechanisms are not specified.</p> <p>Required by Planning Acts. Needs to be kept up-to-date and reviewed at least every 5yrs in parallel with the Local Plan.</p>
<p>Supporting Assessments Prepared alongside and submitted in support of DPDs and Neighbourhood Plans</p>	
<p>Sustainability Appraisal (SA) Considers the environmental, social and economic impact of the policies and proposals contained therein. Assesses policies at various stages of preparation, including the consideration of reasonable alternatives. The SA of a DPD includes the required Strategic Environmental Appraisal.</p>	<p>Consulted as part of the consultation on the DPD or Neighbourhood Plan</p> <p>Set out in the Environmental Assessment Regulations, Planning Acts & Local Plan Regulations</p>
<p>Strategic Environmental Appraisal (SEA) This assesses plans and policies where there may be significant environmental effects. These may occasionally be required where a SA has not already been undertaken, for Neighbourhood Plans or SPD</p>	<p>Early consultation with the SEA consultation bodies and general consultation as part of the Neighbourhood Plan/SPD public consultation</p> <p>Set out in the Environmental Assessment Regulations</p>
<p>Habitats Regulations Assessments Documents may require Habitats Regulations Assessment Scoping Report, to consider whether an Appropriate Assessment (AA) is necessary. An AA may be required if there is likely to be a significant effect on the nature conservation objectives of a European site.</p>	<p>Integrated with the SA process, so no specific public consultation Consultation with specified bodies as set out under the Habitat Regulations</p>
<p>Other policy documents Other documents and studies are necessary for the development of planning policies. Examples include Strategic Housing & Economic Land Availability Assessment (SHELAA) [Formerly SHLAA], Brownfield Land Register, Housing Needs Assessments Infrastructure Delivery Plan, Green Infrastructure Studies, Transport Assessments, and Local Flood Risk Assessments.</p>	<p>Not generally consulted on, but can be considered as part of the examination of proposed new policies, when they are used as part of the evidence base for these policies.</p>

Planning Policy Documents – Stages in Preparation & Opportunities for Involvement

3.6 The diagram below illustrates the preparation process for the main types of policy documents and the opportunities for engagement and consultation at each stage.

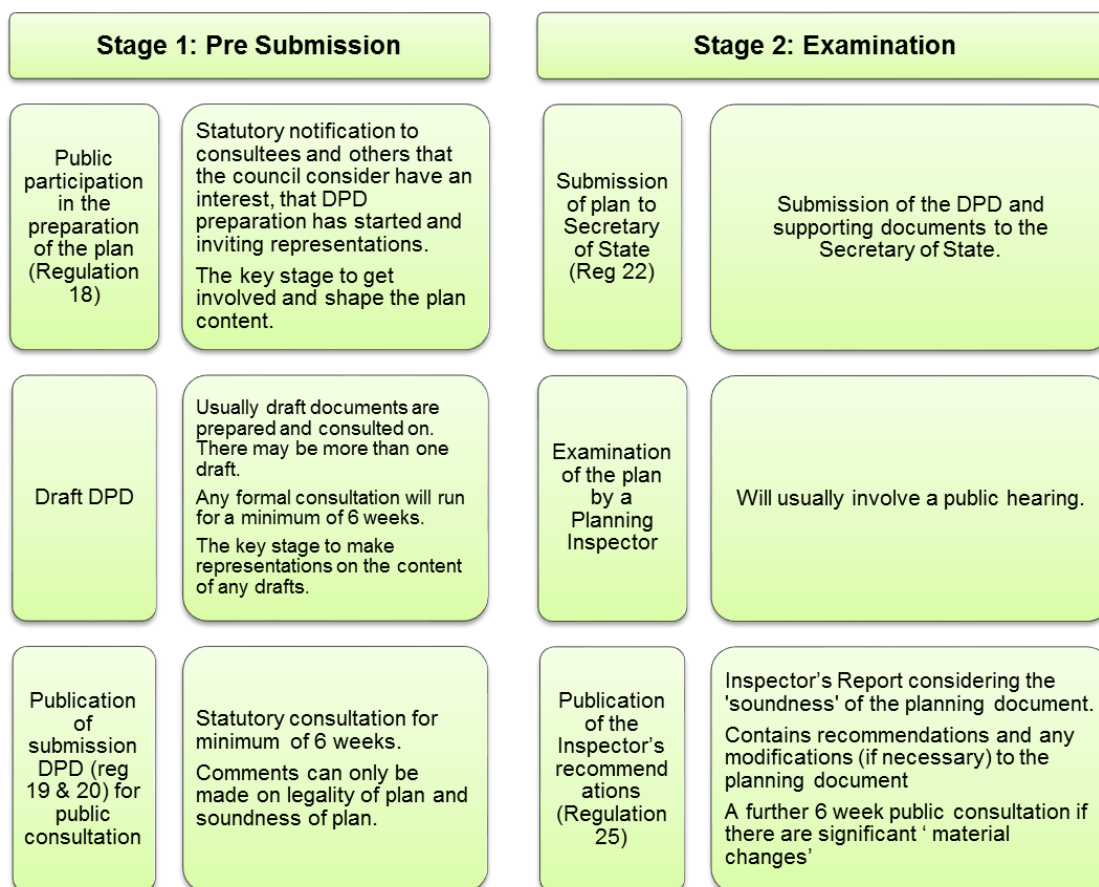
Figure 2: Planning Policy Documents Preparation Process



DEVELOPMENT PLAN DOCUMENTS (DPD) [Local Plan & others] & SUPPLEMENTARY PLANNING DOCUMENTS (SPD) PREPARATION

3.7 DPDs such as the Local Plan will require a wide range of engagement across the District over a considerable period of time in order to properly consider all the issues involved and develop a sound strategy. The following sections describe the main stages for its preparation and the opportunities for involvement at each stage and the diagram below summarises the stage for a DPD.

Figure 3: DPD Preparation Process



Preparation of DPD

3.8 The main time to become involved in the identification of issues for the DPD and the development of strategies, policies and proposals.

Consultees

3.9 Formal commencement of work on the preparation of a DPD such as the Local Plan requires notification under Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012. The local planning authority must notify the specific and general consultees, local residents and business as appropriate, inviting representations on the content of the document. Councils are required to take into account any representations that are made in response.

3.10 The current list of specific and general consultees that would be relevant for Winchester are listed in Appendix 2

Duty to Cooperate

3.11 The Duty to Cooperate obligation requires that formal cooperation is sought from particular bodies required over planning for development needs. This is particularly important when it is difficult to accommodate identified needs, such as for housing within the authority and assistance is sought from neighbouring authorities. The Duty to Cooperate is not a duty to agree. The Council has to demonstrate that it has cooperated with the required consultees when submitting documents for examination. The current list of the Duty to Cooperate consultees is attached as Appendix 2. Some of these are also specific or general consultees.

Publicity

3.12 The Council will always give notification of the start of the front loading of a new planning policy (DPD or SPD). New initiatives will be publicised by a notice on the website. Tweets and other social media platforms may be used to increase awareness and invite involvement from a wider audience, particularly from those not traditionally engaged with planning. A press release is usually prepared for the commencement of work on a new document. Persons and groups registered on the policy database will be notified via the LDF newsletter. It is likely that there will also be a mention in the Parish Connect newsletter, that goes to local Parish Councils (and the Winchester Town Forum) and Council Members will also be notified.

Community Involvement

3.13 The Council will undertake initial engagement with communities and stakeholders in early stages of preparing the Local Plan. This ‘front-loading’ gives people the chance to get involved in plan-making from the beginning of the process. The involvement should assist in the identification of important issues and the development of appropriate options.

3.14 The type of methods used and the scope and degree of engagement/consultation will vary depending on the nature and scope of the document being developed. Examples include:

- Emails and letters targeting established contacts and Parish Councils
- Newsletters or leaflets enable more detail to be given on proposals. They can also be used to publicise events or meetings and be widely available
- Exhibitions and public meetings
- Meetings with stakeholders and local communities such as Parish Councils, or workshops on particular issues, or with specific groups
- Surveys and questionnaires

- Social media for publicity and as a forum for debate.

3.15 A combination of methods can often obtain the most comprehensive results, however consideration needs to be given to the availability of resources and the benefits that will be achieved. Statutory time constraints need to be taken into account. Methods should be chosen in proportion to the scale of the issue(s) and the resources (including time and monetary) available. In some instances there are statutory timescales for consultations or notifications and prescribed procedures that need to be followed, which may not allow for comprehensive engagement.

3.16 In all cases the following principles should be followed:

- Engagement should reach out to groups, be creative, active and provide feedback.
- Consultation should be clear & concise, informative and have a purpose,
- Arrangements should take into account the groups being consulted and be targeted where possible
- Consultations should last for a proportionate amount of time (usually 6 weeks)
- Consultations should not run over the main holiday periods, such as school holidays. If this is unavoidable, additional time periods should be factored in.
- Depending on the content, consultations should be avoided during national or local elections.
- Feedback should be provided and representations should be taken account of in a way that enables persons to see the council's response.

Preparation of SPD

3.17 SPD supplement policies in the adopted development plan. They take a variety of forms and can be topic-specific or location-specific. SPDs can be prepared by the Council, but in Winchester, local communities have often taken the lead in preparing local design SPDs. Examples of these are Village Design Statements, Neighbourhood Design Statements and Local Area Design Statements.

3.18 There is a statutory procedure for adopting SPDs, which once adopted can be a material consideration in planning applications, but there is considerable flexibility in the preparation of SPDs. However, whoever prepares the SPD, there should be community input into the development of the documents. The Council will use similar engagement techniques as in the preparation of DPD, targeted as appropriate to nature of the SPD.

Draft DPD/SPD

Opportunity to make representations on draft plans and proposals

Committee

3.19 Before publishing draft DPD or SPD for consultation, they will be considered by an executive committee of the Council (such as the Local Plan Committee, or the Cabinet) who will approve the draft for consultation. This is opportunity for councillors to discuss the policies. The meetings are public, so there is the opportunity to speak to the committee Notice must be given to the Democratic Services Officer if a full reply is sought. More detail on how to speak at committees is provided on the [Council's website](#).

Consultation

3.20 There will then be public consultation on the draft. Regulations set out specific requirements, such as a minimum 6 week period for consultation on DPDs and a minimum of 4 weeks for SPD. Regulations also require that certain bodies that should be notified and that documents must be available on the website, displayed at council offices and other appropriate places.

3.21 The council will aim to go beyond these minimum requirements. The draft document (and the evolving sustainability appraisal for DPDs) together with any other supporting documents, will be made available on the website, the Council offices and key libraries for inspection. Further publicity will be achieved by press release and notices in the local paper.

3.22 Contacts on the data base will be notified of this stage and again, further publicity will be garnered via social media, articles on the website etc. There may be public meetings/exhibitions associated with this. The consultation will usually run for at least 6 weeks and will try to avoid major holidays, or extend the consultation period accordingly. The preferred method of making representations is via the Council's on-line consultation hub using Citizen Space consultation. However, it is recognised that not everybody is able to make use of this format and all written email or paper representations will be considered as long as they are received by the deadline.

3.23 Draft DPD may have a preferred option or series of options for consideration. For all types of policy documents there may be more than one stage of consultation depending on the document and the nature and scale of issues involved. This may include targeted consultation on certain issues, or for particular locations.

Final DPD/SPD

3.24 Following the consultation on the draft, representations received will be considered and changes made where appropriate and justified. A final version of the DPD/SPD will be prepared. SPDs can be adopted by the Council by a resolution of committee. However DPDs - such as the Local Plan – are subject

to a statutory public consultation prior to the formal submission to the Secretary of State.

Committee & Council

- 3.25 Before the DPD/SPD are finalised, they will again be considered at committee, which will be a public meeting as before. This enables local councillors to debate and agree the final document and ensures that matters raised through the consultation are taken into consideration.

DPD

- 3.26 A meeting of the Full Council is required to approve the final version of the DPD. This final version is the document that the Council intends to submit and it may be termed the Pre-Submission, Proposed Submission or Publication version of the plan (or other DPD).
- 3.27 Following approval by the Council for publication and submission there will be a further statutory consultation for a period of at least 6 weeks. Similar publicity will be carried out as for the draft DPD. At this stage of the process legislation prescribes that representations must only be made on matters of soundness ie whether the document has been properly prepared, and is legally compliant. The council will normally supply further guidance on what this means alongside the published DPD.
- 3.28 The council cannot respond to representations made at this stage, but will send the representations together with a summary of the issues raised, to the Planning Inspectorate for consideration when the DPD is submitted.
- 3.29 Again, representations should ideally be made via Citizen Space, or by email or letter. To be taken into account, all representations must be made in writing and received by the deadline.

SPD

- 3.30 SPDs can be adopted when the council has considered the representations made, taken account of any issues raised and made any necessary amendments to the SPD. The full Council meeting will formally adopt the SPD and it will then be a material planning consideration for planning decisions.
- 3.31 When planning authorities adopt a SPD, they must write to those who wished to be kept informed of its progress and prepare a consultation statement, that sets out who was consulted, summarises the main issues raised and shows how they have been addressed in the SPD. SPD are subject to a three month challenge period.

EXAMINATION DPD

The examination of the DPD by the Planning Inspector

Submission

- 3.32 Following the period of formal consultation on the pre-submission plan, the final DPD and supporting documentation is prepared for submission to the Secretary of State (the Planning Inspectorate) for examination. A programme officer will be appointed to administer the examination process.
- 3.33 Regulations prescribe what supporting documents must be submitted with the DPD, which are currently a final Sustainability Appraisal/Strategic Environmental Assessment, together with Habitats Regulations/Appropriate Assessment; Local Development Scheme; Authorities Monitoring Report and Equalities Impact Assessment, a Duty to Cooperate Statement and a Statement of Consultation. For a Local Plan, the Council is also likely to prepare self-assessments of the soundness and legality of the Local Plan, which will also be made publicly available.
- 3.34 The Statement of Consultation sets out what bodies and persons were invited to make representations, such as the statutory and general consultees, how they were invited, a summary of the main issues raised and how the representations were taken into account. It also includes a summary of any representations made at the publication of the DPD and copies of the representations. The Duty to Co-operate Statement shows what actions the Council has carried out under the Duty to Co-operate requirements, such as liaising with neighbouring authorities and statutory consultees.
- 3.35 When the DPD is submitted a formal notice is published and we will notify all those who requested to be notified of the submission together with the specific and general consultation bodies. Regulations also require that a copy of the DPD and the documents submitted with it must be made available for inspection as soon as reasonably practicable following the submission. 'Availability' is defined in the Regulations as at the principal office and other places we consider appropriate, during offices hours & published on the website with copies being made available on request.
- 3.36 No further consultation is undertaken at this stage, but the programme officer appointed will write to all those who have made a representation, asking if they want to attend any hearing/examination or make further written representations when the Inspector publishes the issues to be discussed.
- 3.37 The Programme Officer will organise the Examination process and like the Inspector is independent from the Council. All contact and further discussion on the submitted plan should be via the Programme Officer who will organise any hearing sessions and ensure documents are available for inspection both

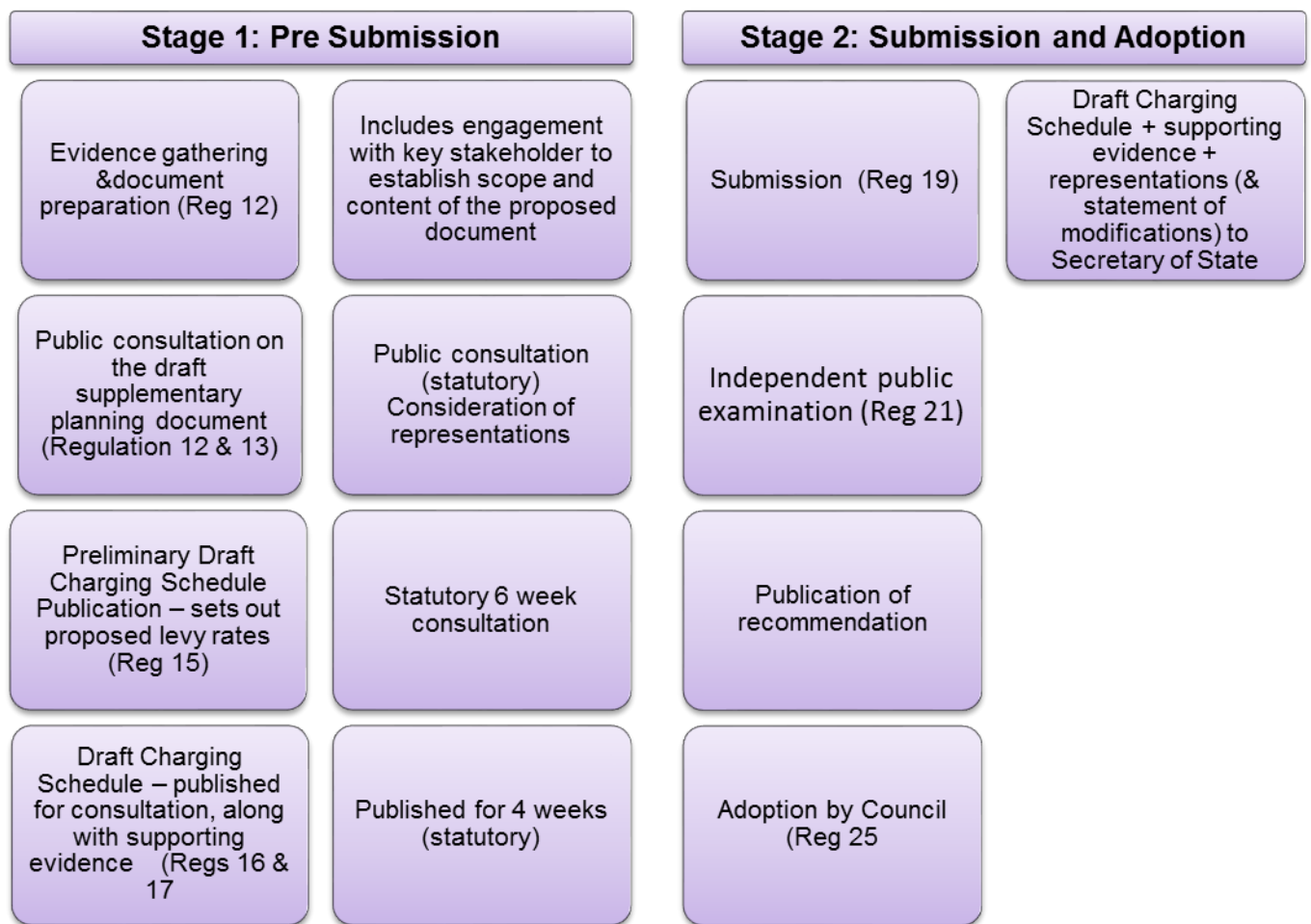
on the internet and at the examination. The Inspector decides whether a hearing should be held and the issues that will be discussed.

- 3.38 At least 6 weeks before any hearing the Council will publicise the hearing and specifically notify those who made representations at the publication stage.
- 3.39 Following the examination there will be an Inspector's Report, which may make recommendations and the DPD can be adopted by the Council if it complies with these. If modifications to the DPD are necessary, the council will run a further 6 week consultation on these changes before it can adopt the DPD.
- 3.40 The Inspector's Report will be published on the council's website and displayed at the council offices and other locations as considered to be appropriate. Notice will also be given to persons who requested to be made aware of the Report. The council is likely to further publicise the availability of the Report on the website and via social media.
- 3.41 The council can formally Adopt the plan on receipt of the Inspector's Report, at a formal meeting of the Full Council. The plan will then be made available in accordance with the statutory requirements. This entails publishing the DPD, adoption statement and other relevant evidence base documents on the Council's website and making them available for viewing. The council will also use local press and social media to publicise adoption of the local plan.
- 3.42 The Council will also send a copy of the Adoption Statement to all those who have asked to be notified of the Adoption.
- 3.43 There is a final 6 week period during which challenges can be made on strict legal grounds only. Apart from this, there are no provisions to challenge or appeal against the Adopted DPD or any policies within it.

Community Infrastructure Levy (CIL)

- 3.44 There are CIL Regulations that prescribe the steps that need to be undertaken in the preparation of CIL Charging Schedules, as described in the table below. The procedures for preparation, consultation, submission and examination are very similar to those for DPD preparation.
- 3.45 Initial preparation of a draft CIL involves engagement with key stakeholders to establish the scope and content of the CIL. The Council will prepare a preliminary draft and this will then be consulted on for a period of 6 weeks. Following this, the Council will consider the representations received and prepare a Draft Charging Schedule. This is then consulted upon for a further statutory 6 week period.

Figure 4: CIL Preparation Process



3.46 If there are any modifications following consultation on the Draft, there will be another consultation for at least 4 weeks.

3.47 Following the consultation periods, the Draft Charging Schedule will be submitted to the Secretary of State, The supporting documents submitted with the CIL Draft will include a statement of the representations made and how they have been taken into account by the council. There will be an independent examination of the CIL by an Inspector, which is likely to involve a public hearing.

3.48 The Inspector will prepare a report on the CIL and make recommendations. The council will adopt the CIL by a Council resolution.

Other Policy Documents

3.49 Other policy documents are also produced that form part of the evidence base underpinning the statutory documents. These generally take the form of technical reports, studies and research. They are not generally consulted on

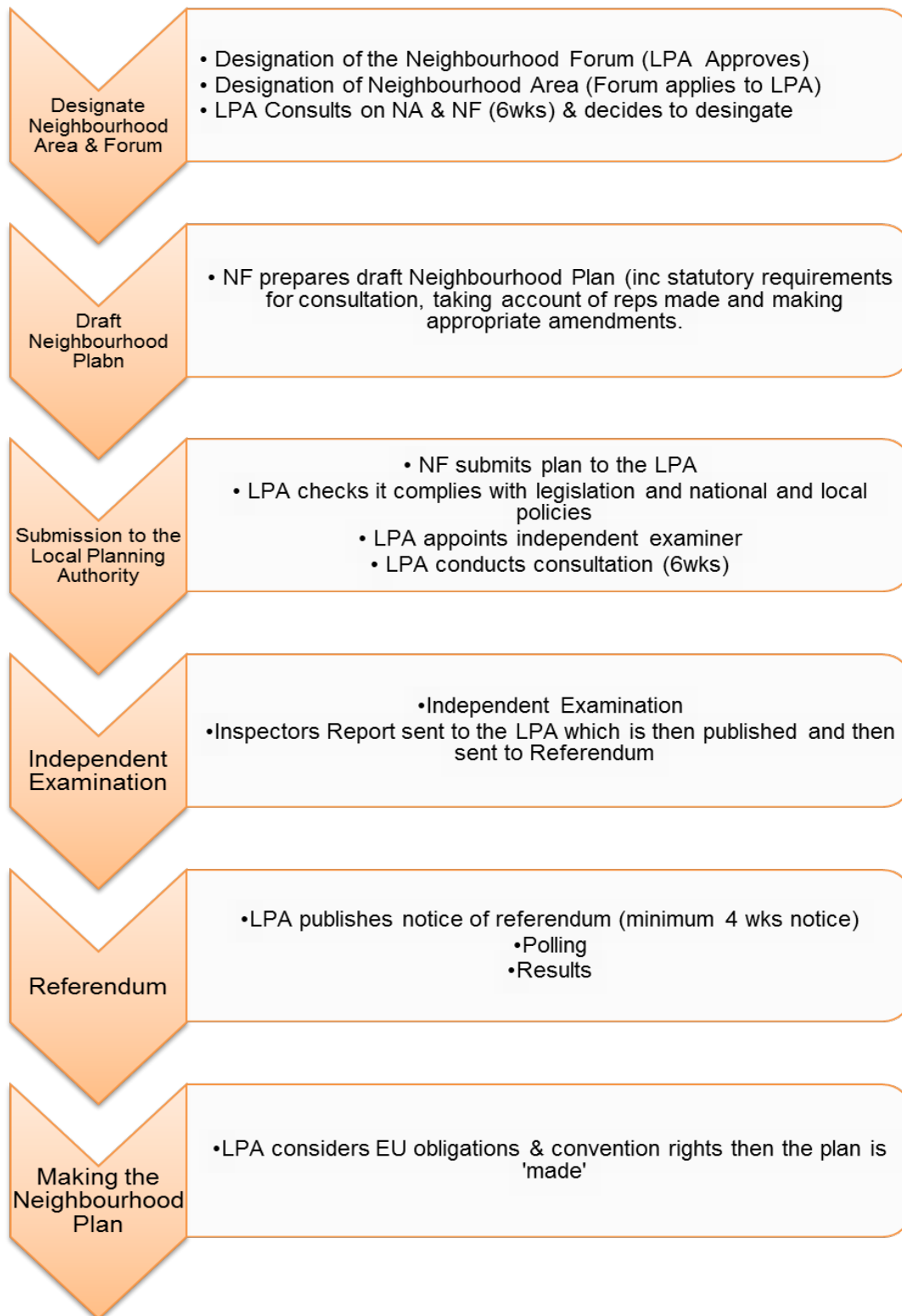
although the Inspector may consider these as part of the examination of the DPD and the adequacy of its preparation. There are also other general supporting documents that are produced such as the LDS, AMR and the Brownfield Land Register, which tend to provide information and are available to view on the website, but are not subject to public consultation.

Neighbourhood Plans and Neighbourhood Development Orders

- 3.50 Neighbourhood planning was introduced by the Localism Act (2011). The Act enables local community groups, subject to specified procedures, to apply to the Council for designation as Neighbourhood Forums and for the designation of Neighbourhood Areas. The Forums are generally the local Parish Council. In non-parished areas a designated Neighbourhood Forum consisting of residents, businesses and other community interests can take the lead.
- 3.51 Forums are responsible for preparing Neighbourhood Development Plans, Community Right to Build Orders or Neighbourhood Development Orders.
- 3.52 Neighbourhood Plans allow communities to establish general planning policies for the development of land in the area. They can set out where new homes, businesses, shops and community facilities should be placed in their local area, and can allocate small sites for development
- 3.53 Neighbourhood Development Orders (including community right to build orders) grant planning permission for a specific type of development in a particular area. This could be either a particular development or a particular class of development such as housing or retail.
- 3.54 Neighbourhood Plans/Orders must be produced in line with national planning policy guidance and locally produced planning policies as once they are made they form part of the overall development plan for the area.
- 3.55 Like local plans, Acts and Regulations cover neighbourhood plan/orders preparation, including consultation requirements. These are currently set out in the Neighbourhood Planning Act 2017, the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (General) Regulations 2015.
- 3.56 The Neighbourhood Forum should decide how to engage with their local community in preparing the plan/order, up until the final draft ('proposed submission') plan stage. The planning authority's role is to carry out certain statutory functions and provide technical advice and support to groups developing a plan.

3.57 The diagram below illustrates the various stages in preparing Neighbourhood Plans/Orders, the opportunities for engagement and whether consultation is being carried out by the forum or the local planning authority.

Figure 5: Neighbourhood Plan Preparation Process



4 DEVELOPMENT MANAGEMENT

- 4.1 The Development Management team consider matters related to development proposals in the District, which take the form of planning and other applications. This also includes the SDNP area, where WCC officers deal with most applications on behalf of the National Park. The service deals with a large number of planning applications, but also provides pre-application and informal advice for applicants and residents in relation to development matters prior to formal applications being made.

General Approach

- 4.2 Development Management working practices have changed recently, putting the customer at the heart of the process in line with the council's increasing customer-focus. Officers can adapt their working methods to suit the specific case. This enables a tailored solution (within planning legislation) to be adopted to suit the specific needs in each case.
- 4.3 If you are unclear as to whether you need planning permission for a development, information can be found on the national [Planning Portal](#) website. Initial contact for advice from Winchester Council can be made via a dedicated development management telephone number (01962 848177) where trained officers are able to help with planning enquiries. They can also take advice from Planning Officers and if a response from a Planning Officer is required they will arrange this.
- 4.4 If you would prefer to submit an enquiry via email, we have a dedicated email address planning@winchester.gov.uk. This mailbox is constantly monitored to provide a timely and appropriate response. Planning histories and current applications can be viewed at the council offices. If you wish to discuss a specific application, it would assist if you let us know you were coming, so we can arrange to have any documentation available. Please contact our planning enquiry line on 01962 848177.

Planning Performance

- 4.5 In the interests of achieving timely resolution of planning applications, central government sets targets for planning authorities to deal with most planning applications. These targets currently are:
- Determine 60% of major applications in 13 weeks (or agreed extension of time)
 - Determine 80% of other applications within 8 weeks (or agreed extension of time)

- Determine 75% of minor applications within 8 weeks (or agreed extension of time) There are other performance measures for non material minor amendments, prior notification applications and discharge of planning conditions.
- 4.6 Applicants can appeal against ‘non-determination’ if an application is not determined within the above timescales, although in the interest of achieving the best outcomes we will sometimes seek to agree a longer period with applicants. If the Council and applicant agree to an extension of time, it must be agreed in writing.
- 4.7 A Planning Performance Agreement is a project management tool which can be used for the council and applicants to agree timescales, actions and resources for handling particular planning applications. They can be particularly useful for setting out an efficient and transparent process for large or complex applications, for all stakeholders involved.
- 4.8 Anyone in the development industry is encouraged to register on the planning database. This enables the council to keep potential developers up to date with changes to Winchester’s planning system. An Agents’ Forum is based around this and the Council holds regular meetings where developers and others involved in the planning process can discuss current planning issues.

PRE-APPLICATION

- 4.9 Applicants are encouraged to approach the council for pre-application advice, particularly in more complex cases, which will provide an opinion on the likely acceptability of proposal. This allows schemes to be amended and relevant matters addressed before a planning application is made. Details of the current Pre-Application advice service can be found on the council’s website at [Pre-application Advice](#)
- 4.10 The council’s pre-application advice is provided directly to the inquirer and the proposals are not subject to public consultation. Developers are therefore encouraged to carry out their own consultation in the area where they are planning new development prior to the submission of a planning application. Local knowledge can often assist in identifying planning issues which can be incorporated into early design stage prior to the submission of an application. It is particularly useful to engage with local parish councils and ward members and the immediate neighbours of a site at an early stage of proposals.
- 4.11 Pre-submission consultation by applicants is particularly important for major applications, such a large residential developments or large mixed use sites, developments by major institutions etc, but should also be undertaken for smaller scale schemes. The extent of engagement and consultation should be proportionate to the scale and nature of the proposal. Examples of

engagement include; public meetings and workshops with stakeholders such as parish councils and community groups, targeted consultations with particular interest groups, manned exhibitions and letter and flyer distributions. For smaller applications it may be appropriate to engage with neighbours and parish councils.

- 4.12 Early engagement with the local community enables the developers to explain their proposals and the community to be better informed and raise any issues that they may be concerned about. It is often possible to then amend proposals to address some of these issues, before formal applications are submitted. Examples of issues include the layout of the site, the design of buildings, important trees or local environmental features, access and car parking issues.

PLANNING APPLICATIONS

Figure 7 that follows this chapter illustrates how planning applications are processed and this is described in more detail below.

Using the planning search

- 4.13 Once an application is valid (i.e. submitted with the required documents and fee) the application form and any supporting documents submitted will be made available on the Council website. The planning application search section of the website, allows for details of proposals to be accessed. Searches can be made using the reference number, or a keyword, postcode, or address. For reasons of transparency and in order to keep people as informed as possible, all correspondence – including internal consultations and public representations – will be made available here. This will be kept as up to date as possible. The details on the planning search will also provide other useful information such as contacts and key dates.

- 4.14 The details of developments in the South Downs area should be viewed on the [SDNP website](#). Applications in SDNP cannot be viewed on the WCC website.

Notifications

- 4.15 The council will publicise applications. Applications are available for viewing via the public access system from an early stage. Specific notifications will also be undertaken by the council where appropriate. There are statutory requirements which set out what the Council must do and this varies according to the type, scale and location of the proposal and also the type of application applied for. These requirements generally set out the minimum necessary. In some cases the local planning authority has discretion to decide how it fulfils

the consultation requirements. The different requirements for different categories of developments are set out in general terms the table below. There are various forms of Prior Approval procedures which have specific requirements, which are not all listed in the table below. Other particular requirements may also apply in the case of Listed Buildings, Ancient Monuments and within Conservation Areas.

Figure 6: Statutory Consultation Requirements table

Type of Development	Press	Website	Site Notice	Neighbour
Major development Over 10 dwellings Over 1,000 sqm floorspace or Site larger than 0.5ha	✓	✓	✓*	✓*
Minor development Below the above thresholds			✓*	✓*
Householder development			✓*	✓*
Application accompanied by an Environmental Impact Assessment (EIA)	✓	✓	✓	
Proposal affecting a public Right of Way (ROW)	✓	✓	✓	
Listed Building Consent	✓		✓	
Conservation Area Consent	✓		✓	
Some Prior Approval procedures: e.g. demolition,			✓	
Telecommunications Prior Approval			✓*	✓*

* The statutory requirement is either/or, although both are often used

4.16 The majority of planning applications are consulted on via the display of a site notice on, or nearby the site, together with letters sent to neighbours. In some cases there may also be statutory consultees whom the council are required to seek views from. The case officer will decide what consultation methods are the most appropriate for particular applications, arrange for the display of a site notice and will visit the site and will also decide what neighbouring properties to notify by a letter. Site visits to neighbours may also be undertaken.

4.17 The consultation period lasts for 21 days, and representations can be made via the public access system within this time. Representations can still be made

after that time if a decision has not yet been taken and the comments reach the case officer in time.

- 4.18 The case officer will also decide what other statutory and non-statutory consultations to make, such as to relevant environmental bodies (eg Environment Agency, water companies), amenity groups and internal council consultees (eg strategic planning, environmental protection, historic environment, drainage and landscape).
- 4.19 A weekly list of planning applications (and other development applications) is published on the [council's website](#), made available at the council offices and emailed to Parish Councils and the Winchester Town Forum. In certain cases (see table above) applications are also publicised by a notice in the local paper.
- 4.20 The Council seeks to ensure that a wide range of people are aware of local development proposals. Therefore, some significant applications for major development are highlighted on the Council's website and tweets and press releases are also made in relation to these.

Commenting on Applications

- 4.21 The most effective way to make comments on planning applications is by using the planning access system and the simple pro forma linked to the online application. The representation will be available for the case officer to see straightaway and published on line within the following few days.
- 4.22 Exceptionally, alternative arrangements for making representations can be made via the case officer; however, in order to be taken into account, all representations must be made in writing. It is not possible to treat these in confidence and they will therefore be published on the Council website, but signatures and personal email addresses and telephone numbers will not be made publicly available, in accordance with data protection requirements under the GDPR.
- 4.23 Local Ward Councillors can make representations on your behalf, as can the local Parish Council or Winchester Town Forum.
- 4.24 Comments that use inappropriate language, or are offensive, including on the grounds of race, religion, disability or sexuality, will not be acceptable and may led to the whole representation being rejected.

How applications are assessed.

- 4.25 The case officer will undertake a site visit, asking if the agent or applicant would like to attend. They will consider all representations that have been received

and any consultation responses. They will engage with applicants and other interested parties on the details of applications to achieve a positive outcome, negotiating and carrying out meetings, conducting telephone calls or using emails as appropriate. Sometimes there are amended plans as a result of negotiations.

4.26 Further consultations may be undertaken where there are changes from the original application, depending on the extent and nature of the changes. The case officer's judgement will be used in these situations, and consultations may only last for 14 days.

4.27 Legislation requires that planning applications are determined in accordance with the development plan unless material considerations suggest otherwise (although there are exceptions to this, such as Prior Notification Procedures where the planning authority can only consider particular aspects of the proposal as set out in legislation). All representations will be taken into account when reaching a decision and it is important to understand the nature of any community concerns. However, weight can only be given to comments concerning planning issues.

4.28 Examples of issues that may be relevant include:

- Development Plan policies
- Government legislation and advice
- Case law
- Adopted supplementary planning document (eg Village Design Statements)
- Design, appearance and layout
- Conservation of the built and natural environments
- Impact on the amenity of neighbours (eg privacy and daylight)
- Trees
- Highways safety, traffic and parking
- Pollution, including noise and light pollution
- Flooding
- Planning history

4.29 The following are examples of matters which are NOT generally relevant planning considerations:

- Effect on property values
- Loss of views over other people's land
- Possible future development
- Competition between businesses
- An applicant's motives for making the application
- Matters covered under other legislation (eg building regulations, restrictive covenants, alcohol licenses, environmental health)
- Private property rights
- Private disputes concerning property ownership or boundaries

Making the Planning Decision

4.30 The case officer will make a recommendation based on consideration of all the above, recommending approval or refusal of the application. The Head of Development Management and Team Leaders have delegated powers to deal with most applications and the majority of applications are dealt with by the team under powers of delegation. However, some applications are referred to the Planning Committee for one or more of the following reasons:

1. At the request of a City Councillor (based on material planning reasons)
2. At the request of a Parish or Town Council (based on material planning reasons) when their views are contrary to the intended decision of the officer
3. The Head of Development Management considers the application to be for significant development and intends to grant planning permission
4. Six or more representations (raising material planning considerations) are received from separate addresses contrary to the officer's recommendation. Petitions count as one representation for this purpose.
5. The application is submitted by, or on behalf of the Council or includes Council-owned land, approval is recommended and at least one objection has been received
6. The application relates to a Member or Officer of the Council

4.31 WCC deals with most planning applications within the South Downs area of the District on behalf of the SDNP under an agency agreement. WCC will carry out

the necessary registration, notification and consultation and officers of WCC will assess the application. We will adopt Winchester City Council's scheme of delegation when we handle an application on behalf of the SDNP, and therefore the triggers referenced in 4.28 above would apply. Major or significant applications are dealt with by the SDNP team direct.

Planning Committee

- 4.32 Public speaking on planning applications which come to the Planning Committee is encouraged, although the Public Speaking Co-ordinator must be contacted at least one working day before the committee. Further information on the arrangements for speaking are available on the [council's website](#), Committee Agendas are available one week before the Committee, which will include the officer's report and recommendation. Those who have commented on an application are individually notified.
- 4.33 Currently Planning Committee is generally held every four weeks on Thursdays in the Winchester Guildhall. For applications in the Waterlooville Major Development Area, there is a special Waterlooville Committee held jointly with Havant Borough Council. The location and frequency for this will vary depending on the applications submitted. The website will provide up-to-date information on the latest meetings schedule and location.

Post-Decision & Appeals

- 4.34 Applicants will receive a decision notice. Those who have either objected to, or supported, a planning application are not given written notification of the decision, however all decisions can be viewed on the [website](#) via the public assess system. The relevant application page will show the decision,. For applications considered by planning committee the officer's report will be on the relevant committee agenda and the committee minutes will also be available on the [website](#) soon after the meeting.
- 4.35 Only applicants have the right of appeal, either against the refusal of permission, or any conditions imposed on the grant of planning permission. An appeal must be made within six months of the Council's decision, in most cases, however where the appeal relates to householder development or where an enforcement notice has been served the time is reduced to 12 weeks. Applicants can also submit an appeal on the grounds of non-determination, if the Council has not determined the application within specified time periods (para 4.6 above provides details of these).
- 4.36 There are no rights of appeal within planning law for other parties such as local residents who objected to an application which the Council has permitted.

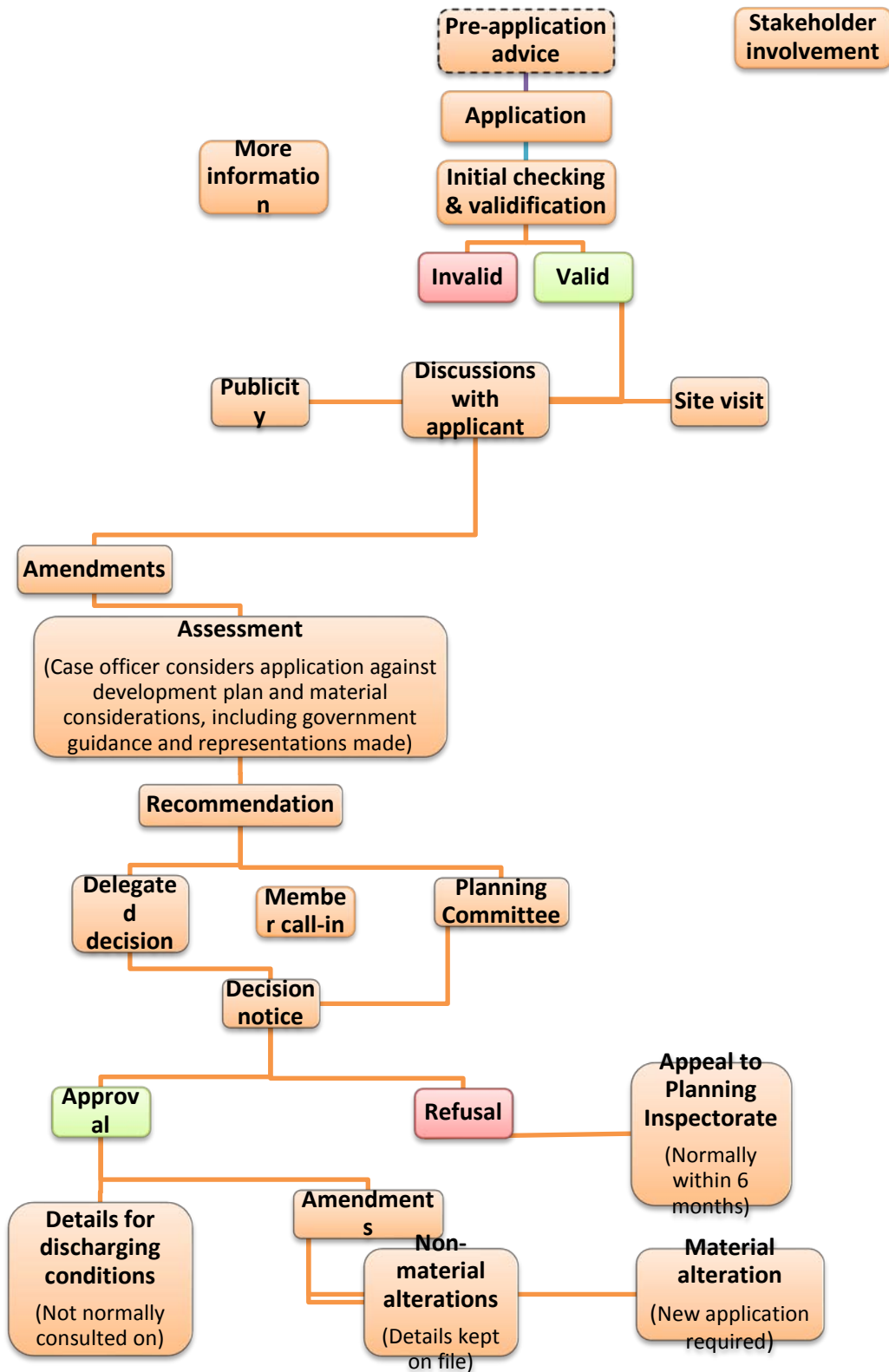
There are provisions for Judicial Review in limited cases related to procedural matters and points of law. If an appeal is lodged, the Council will notify all those who made representations on the original application and advise them how to make their views known to the independent Planning Inspector, who will be appointed by the government to deal with the appeal. The Council will also forward details of all representations previously submitted, to the Planning Inspectorate.

- 4.37 Following the grant of planning permission, there are often various conditions to be complied with, commonly in relation to materials and landscape matters. These matters are not generally subject to consultation as they are technical matters of detail. This may involve consultation with consultees.
- 4.38 Where amendments are proposed to approvals, the case officer will assess whether the amendments are sufficiently minor and can be treated as a non material minor amendment. In these cases there is no legislative requirement to re-consult, although informal consultation may sometimes occur at the discretion of the case officer. If a change is not considered minor a full re-submission of the planning application is required to enable appropriate engagement and consultation.

Enforcement

- 4.39 The council employs enforcement officers who investigate alleged breaches of planning control. Sometimes interested parties may be contacted for their input, such as any information they have regarding existing uses. Generally, however, enforcement investigations are not carried out in the public domain. For more details on the Councils approach to enforcement you can review the Councils Local Enforcement Plan.
<http://www.winchester.gov.uk/planning/planning-enforcement>
- 4.40 Investigations can result in planning applications being made to remedy a breach of planning legislation. All planning applications will be consulted on in the normal way, as set out in the above paragraphs.

Figure 7: Planning Application Process



APPENDICIES

- 1 Citizen Space Survey**
- 2 Consultees**
- 3 Glossary**

Appendix 1: Summary Results of the SCI Refresh Consultation March to April 2017

Question 4: The Council is seeking to increase the use of more efficient electronic communications methods, where possible. Which of the following methods would you prefer the Council to use to contact you?

Method	No of Responses	Percentage
Email	147	87%
Facebook	8	5%
Twitter	4	2%
None of the Above	10	6%

Question 6: What methods of participation would you be interested in when shaping planning policy?

Method	No of Responses	Percentage
Workshops	64	14%
Focus Groups	54	12%
Public Meetings	81	18%
Notification via Parish/Town Council/Town Forum	73	16%
Questionnaires	94	21%
Debate on Social Media	6	1%
Face to Face Meeting with officers/councillors	76	17%

Question 7: Have either you or your organisation been involved in the planning policy process, either as part of the Local Plan or a Supplementary Planning Document?

Response	Percent
Yes	48%
No	52%

Question 9: What would be your preferred means of obtaining information about new planning policy initiatives? Please rank your top three choices below.

Method of Contact	1st Choice	2nd Choice	3rd Choice
Council Website	8%	19%	23%
Social Media	1%	4%	2%
E-Newsletter	15%	25%	16%
Email	60%	21%	7%
In Writing	12%	16%	12%
Notification via Parish / Town Council / Town Forum	2%	9%	23%
Flyer / Poster	1%	2%	6%
Press Release	1%	4%	11%

Question 10: It would be useful to find out what form(s) of notification you would find most helpful when the Council has received a planning application that directly affects you or your organisation. Not all the options listed below may be applicable in every circumstance. Please select the methods below in order of preference.

Method	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice	6th Choice
Site Notice	19%	23%	26%	18%	8%	10%
Notice in Local Press	3%	5%	14%	20%	19%	33%
Email	54%	25%	10%	5%	5%	2%
Letter	21%	34%	13%	14%	11%	6%
Parish Council Notification / Notice Board	2%	5%	14%	30%	32%	20%
WCC Website	1%	8%	23%	16%	25%	29%
Total	100%	100%	100%	100%	100%	100%

Question 11: Which of the following methods would you prefer to use to comment on a planning application? Please rank your top three choices below.

Method	1st Choice	2nd Choice	3rd Choice
Online form via the Council's website	48%	49%	14%
Email	39%	29%	8%
Via Parish / Town Council / Town Forum	4%	9%	29%
Letter	8%	13%	44%
Other	1%	0%	5%

Question 12: How would you like to be made aware of planning decisions? Please rank your top three choices below.

Method	1st Choice	2nd Choice	3rd Choice
WCC Website	5%	29%	40%
Email	78%	13%	5%
Parish Council Notification / Notice Board	3%	12%	34%
Letter	13%	45%	19%
Other	1%	1%	2%

Question 13: A role of the planning system is to encourage applicants and developers to involve the community BEFORE they submit a planning application. Which of the following do you think are the best ways for applicants to consult on proposals of different scales?

Method	Large e.g. housing development of 200+ dwellings or new industrial area	Medium e.g. housing development (10-199 dwellings) or commercial development	Small e.g. changes to a property/development up to 10 dwellings
A Public Meeting	21%	17%	6%
Workshop/Focus Group	11%	11%	7%
Local Exhibition	19%	19%	10%
Meet with Parish/Town Council	14%	16%	18%
Questionnaire to Local Residents	15%	16%	20%
Press Notice/Advert	8%	8%	10%
Notify Neighbours	12%	13%	29%

Appendix 2: Local Development Framework Consultees

The council holds a consultation database containing the contact details of many organisations and individuals who either must be consulted at different times (statutory consultees) or who have asked to be consulted on various aspects of the LDF. Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

Statutory Consultees

The Town and Country Planning (Local Development) (England) Regulations 2004 specify that the following bodies must be consulted if the Council considers that they will be affected by what is proposed in a Development Plan Document:

- Hampshire County Council
- All relevant authorities. This includes:
 - Adjoining local planning authorities:
 - South Downs National Park
 - Eastleigh Borough Council
 - Test Valley Borough Council
 - East Hampshire District Council
 - Basingstoke and Deane Borough Council
 - Havant Borough Council
 - Portsmouth City Council
 - Fareham Borough Council
 - All Town and Parish Councils within the district
 - All Town and Parish Councils adjoining the district;
- The Environment Agency
- The Highways Agency
- English Heritage
- Natural England
- Relevant gas, electronic and telecommunications companies
- Relevant sewage and water undertakers
- Clinical Commissioning Groups
- Government departments who may have large landholdings in the area covered by a local development document.

General Consultation bodies

This is a list of the types of bodies who the Council will consult if the subject matter of the Local Development Document is likely to affect them (individual groups are not listed as details may become out of date within a short space of time).

They include:

- Voluntary organisations, where some or all of their activities benefit any part of Winchester district (for example residents associations, amenity groups)
- Bodies which represent the interests of the following in the authority's area:
- Persons carrying out business
- Different racial, ethnic or national groups
- Different religious groups
- Disabled persons
- Other Consultation bodies

In addition to the statutory and general consultation bodies outlined above the following agencies and organisations will also be consulted, where it is considered appropriate, in the preparation of a Local Development Document.

- Age Concern;
- Airport operators;
- British Waterways, canal owners and navigation authorities;
- Centre for Ecology and Hydrology;
- Chambers of Commerce, Local CBI & local branches of Institute of Directors;
- Church Commissioners;
- Civil Aviation Authority;
- English Partnerships;
- Commission for Racial Equality;
- Community Action Hampshire;
- Crown Estate Office;
- Council for the Protection of Rural England;
- Disability Rights Commission;
- Disabled Persons Transport Advisory Committee;
- Telecommunications Undertakers and the National Grid;
- Friends of the Earth;

- Royal Society for the Protection of Birds;
- Hampshire Wildlife Trust;
- Equal Opportunities Commission;
- Fire and Rescue Services;
- Forestry Commission;
- Freight Transport Association;
- Gypsy Council;
- The Traveller Education Office;
- Health and Safety Executive;
- Help the Aged;
- Housing Corporation;
- Learning and Skills Councils;
- National Playing Fields Association;
- Network Rail;
- The National Trust;
- Passenger Transport Authorities;
- Passenger Transport Executives;
- Police Architectural Liaison Officers/Crime Prevention Design Advisors;
- Post Office Property Holdings;
- Rail Companies and the Rail Freight Group;
- Regional Housing Boards;
- Regional Sports Boards;
- Road Haulage Association;
- South Downs Joint Committee;
- Sport England;
- The Home Builders Federation;
- The Ministry of Defence (DE);
- The Engineering Council;
- The University of Winchester;
- The Royal Hampshire County Hospital; and
- District GP practices

Appendix 3: Glossary

Abbreviation	Term	Explanation
AMR	Authority Monitoring Report	Assesses the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.
BLR	Brownfield Land Register	Details of all brownfield sites that are suitable for housing development irrespective of their planning status. It includes allocations, sites with extant planning permission and future development sites
CIL	Community Infrastructure Levy	A levy that local authorities can choose to charge on new developments in their area. The charges are based on formula relating to the size and type of new development and money can be used to fund infrastructure that the Council or community want.
	Development Plan	Documents which set out the policies and proposals for the development and use of land. In the district of Winchester the development plan comprises the Local Plan, policies maps, Hampshire County Council Minerals and Waste Plan and Neighbourhood Plans.
DPD	Development Plan Document	Development Plan Documents are the parts of the LDF which are adopted following independent examination and which provide the statutory planning guidance for the District.
	Duty to Co-operate	<p>The Localism Act 2011 places a legal duty on Local Planning Authorities, County Councils, and public bodies to actively engage on an on-going basis to in Local Plan preparation in the context of strategic cross boundary matters.</p> <p>A Duty to Co-operate Statement is submitted with DPDs to show how the planning authority has complied with the duty.</p>
EIA	Environmental Impact Assessment	A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

EqlA	Equalities Impact Assessment	A procedure adopted the City Council to examine the impact of draft policies on gender, age, race, disability and health, sexuality, religion and belief together with other, more specific categories such as those on low incomes, with caring responsibilities or living in rural areas.
	Evidence Base	Information gathered by the Local Planning Authority to support the Local Plan and other Development Plan Documents.
GDPR	General Data Protection Regulations	The General Data Protection Regulation (GDPR) Provides greater data protection and privacy for individuals and limits the purposes for which organisations can hold and use data for
HRA	Habitat Regulations Assessment	Used to assess the impacts of proposals and land-use plans against the conservation objectives of European Protected sites to ascertain if the plan/proposal would adversely affect the integrity of the site.
LDS	Local Development Scheme	Provides a project plan identifying which development plan documents will be produced and when.
NPPF	National Planning Policy Framework	Introduced in 2012, this framework sets out the governments planning policies and how these are expected to be applied.
NDO	Neighbourhood Development Order	An order made by a local planning authority through which parish councils and neighbourhood forums can grant permission for specific development proposals or classes of development.
	Neighbourhood Plans	Neighbourhood Plans are a way for communities to allocate land for new homes, shops or offices to be built, and to have a say on what those new buildings should look like and the type of infrastructure which would be provided.
	Planning policy consultation database	Consultation database maintained by the planning policy team which includes anyone who has requested to be consulted on the preparation of planning policy documents.

	Proposals Map	Illustrates on a base map (reproduced from, or based upon a scaled map base) all the policies contained in Development Plan Documents
SDNP	South Downs National Park	Part of Winchester District lies within the South Downs National Park, an area designated under the National Parks and Access to the countryside Act 1949 (as amended).
	Statement of Consultation	Prepared for DPDs. Sets out what bodies and persons were invited to make representations, how they were invited, and a summary of the main issues raised and how the representations were taken into account.
SEA	Strategic Environmental Assessment	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'
SHLAA	Strategic Housing Land Availability Assessment	A key component of the evidence base needed to support the delivery of the Local Plan The study provides detailed information on potential housing sites and land supply and aims to identify sufficient land to accommodate the District's housing need.
SHELAA *	Strategic Housing and Economic Land Availability Assessment	A technical assessment which considers the availability, suitability and achievability of land in the District for possible development. This includes housing as well as all other forms of development.
SPD	Supplementary Planning Document	Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.
SA	Sustainability Appraisal	tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and are required to Be undertaken for all local development documents.